

COMBATING THE ILLEGAL TRAFFIC IN HUMAN ORGANS AND TISSUES

an INTERNATIONAL CONFERENCE / WORKING GROUP
University of California, Berkeley
Wednesday through Friday, May 5-7th, 2010

Sponsored by

THE DOCTORAL PROGRAM IN MEDICAL ANTHROPOLOGY and ORGANS WATCH

PUBLIC EVENTS

ORGANS WATCH FILM FESTIVAL:

Hollywood meets the real
world of organs trafficking

WEDNESDAY, MAY 5

6:00-8:00 PM

221 KROEBER HALL
UC BERKELEY

KEYNOTE ADDRESS: HARRY WU

*Founder and
Executive Director, Laogai Foundation,
dissident and human rights activist*

"The Illegal Trade of Laogai
Prisoners' Organs in China"

THURS, MAY 6

6:00-7:00 PM

MEN'S FACULTY CLUB,
HOWARD ROOM | UC BERKELEY



WORKING GROUP

MAY 6-7

221 KROEBER HALL
GIFFORD ROOM |

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** Attendance by
subscription only*

PUBLIC EVENTS

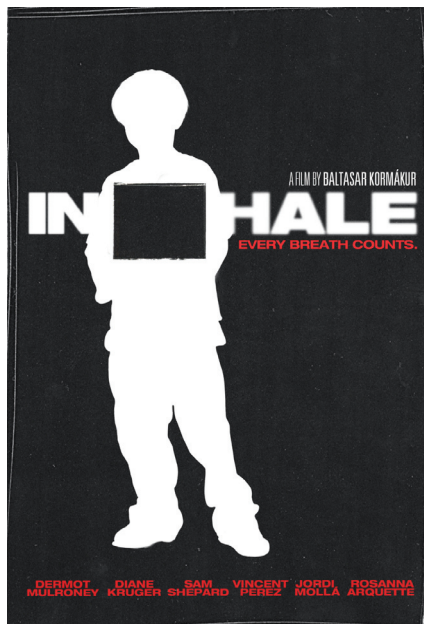
ORGANS WATCH FILM FESTIVAL

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221 KROEBER HALL, GIFFORD ROOM | UC BERKELEY

featuring



“Inhale”

A soon to be released Baltasar Kormákur film on organs trafficking on the US-Mexico Borderlands.



“H.O.T.—Human Organ Traffic”

Lupin Films’ international award winning
2009 documentary



KEYNOTE ADDRESS

*“The Illegal Trade of Laogai
Prisoners’ Organs in China”*

Combating the Traffic in Human
Organs and Tissues

HARRY WU

*Founder and Executive Director,
Laogai Foundation, dissident and
human rights activist*

THURSDAY, MAY 6

6:00-7:30 PM

MEN’S FACULTY CLUB

HOWARD ROOM | UC BERKELEY

Harry Wu is the Founder and Executive Director of Laogai Research Foundation. Wu knows first-hand the atrocious conditions of the Laogai. In 1960, he was imprisoned at the age of 23 for criticizing the Communist Party, and subsequently spent 19 years toiling in the factories, mines, and fields of the Laogai.

He was released in 1979, and came to the US in 1985 with just \$40 in his pocket. Since that time, he has traveled back to China multiple times to further investigate Laogai camps and continue his call for human rights in China. Wu founded of the LRF in 1992 to gather information on and raise public awareness of the Chinese Laogai.

INTERNATIONAL CONFERENCE / WORKING GROUP

**THURSDAY, MAY 6 -
FRIDAY, MAY 7, 2010**

**221 KROEBER HALL
GIFFORD ROOM | UC BERKELEY**

Attendance by subscription only

Thursday, May 6, 2010

9:00 – 9:30am Welcome, Introductions, Setting the Agenda

9:30 – 12:00pm **SESSION 1: Defending the Bodies of the Living: Research/Field Reports on the Costs and Consequences of the Kidney Trade**

Moderator: Richard M. Buxbaum, J.D. Program and Jackson H. Ralston Professor of International Law

- **Monir Moniruzzaman**, PhD, Anthropology & Centre for Ethics and Humanities in Life Sciences, Michigan State University. Bangladesh
- **Amihan Abueva**, Regional Coordinator at Asia ACTS Against Child Trafficking. Philippines
- **Debra Budiani**, PhD, Director, Coalition for Organs Failure Solutions. Egypt
- **Harry Wu / Michael Mignano**, Laogai Foundation. China
- **Nancy Scheper-Hughes / Lawrence Cohen**, Organs Watch. India, Moldova, Turkey, Brazil, Philippines, USA

Discussion of dilemmas, obstacles to interrupt the human organs trade

12:00 – 1:00pm Lunch

2:00 – 4:30pm **SESSION 2: Defending the Bodies of the Dead — Allegations of Tissue Theft at Abu Kabir. Untangling politics and practices at the National Forensic Institute, Israel**

Moderator: Christopher Kutz, Professor of Law, Jurisprudence & Social Policy and Director, Kadish Center for Morality, Law, and Public Affairs

- **Chen Kugel**, MD, Lieutenant Colonel (reserve), Head of Forensic Medicine Department Madan - C.N.C.. Israel, Commander of Medical Identification Unit, IDF, Israel
- **Meira Weiss**, Professor of Anthropology (emeritus) at the Hebrew University, Jerusalem, Israel. Author: *The Chosen Body*. Ethnographer of the National Forensic Institute
- **Nancy Scheper-Hughes**, *The Smoking Gun* — Excerpts of Audio Interview with Dr. Jehuda Hiss, Former Director and Senior Pathologist of Abu Kabir and current legal actions

Respondent: Laura Nader, Professor of Anthropology

Discussion and Comments among panelists and observers

5:30 – 6:00pm Reception
(Men's Faculty Club, Howard Room)

6:00 – 7:30pm Keynote Address: **Harry Wu** — Chinese Dissident, Human Rights Activist
(Men's Faculty Club, Howard Room)

7:30pm Dinner (invited panelists)

Friday, May 7, 2010

9:00 – 12:00pm **SESSION 3: Combating the Trade in Humans and their Organs — From Regulation to Surveillance to Prosecution**

The Problem: (Nancy Scheper-Hughes) When Regulation and Laws are Disregarded: Government Complicity, Bureaucratic and Judicial Indifference to Human Trafficking

Moderator: Richard M. Buxbaum, J.D. Program and Jackson H. Ralston Professor of International Law

- **Gabriel M. Danovitch**, M.D, Transplant Nephrologist, Professor of Medicine, UCLA. Steering

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Committee, Istanbul Declaration against organ trafficking

- **Amihan Abueva**, Child Rights Activist, Child Trafficking, Philippines
- **Captain Louis Helberg**, Head, Commercial Crime Unit, Durban, South Africa
- **Nicole Maric**, Anti-Organized Crime and Law Enforcement Unit Anti-Trafficking Section, United Nations Office on Drugs and Crime (UNODC) Vienna

General Discussion

12:00 – 1:00pm Lunch

1:00 – 4:00pm **SESSION 4: Caught Up in the Trade — The Participants Point of View**

Transplant Tours Gone Awry:

A panel with Dr. Riki Shay, from Israel to China; Sophie Lim, Transplant tour from USA-Singapore

A Sellers' Point of View:

Nick Rosen, Seller and Altruist - Director, "Kidney Beans — Trading Organs for Cash"

A Surgeon's Point of View:

Tom Diflo, MD (New York University) Caring for Patients who return from illegal transplants abroad. —What is the Responsibility of the Physician to Patients who break the law to procure the organs they need?

Discussion:

Responding to the Medical, Social, Economic and Legal Needs of Kidney Sellers: Discussion led by Debra Budiani, Nancy Scheper-Hughes. Redress through medical and psychological outreach, reparation, restitution, class action suits

4:00 – 6:00pm **SESSION 5: Roundtable — Proposals, Solutions, Models**

(Each Panelist to present for no more than 10 minutes)

7:00pm Dinner for invited guests

Guest Panelists

AMIHAN ABUEVA

Amihan Abueva is the coordinator of Asia ACTs Against Child Trafficking, the regional campaign against child trafficking, working in seven countries of Southeast Asia. Since 2001, this campaign has led widespread community education campaigns against child trafficking, the lobbying for laws against trafficking in the different Southeast Asian countries and the development of the Guidelines for the Protection of the Rights of Trafficked Children which was adopted by the ASEAN Ministers for Social Welfare and Development in 2007.

In February 2004, Philippine President Gloria Macapagal-Arroyo appointed Amihan as the Children's NGO Representative to the Philippine Government's Inter-Agency Council against Trafficking in Persons (IACAT)- the council that monitors the implementation of the Anti-Trafficking in Persons law. Amihan is also the current President of ECPAT Philippines (End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes) and the immediate past president of the Board of ECPAT International (2005-2008). Amihan was awarded the Wilberforce Leadership Award in 2008 by the US organization, Free the Slaves.

Between 2005 to 2008, the Philippines became notorious as a major transplant tourism destination. Asia ACTs undertook an active advocacy against this and worked very closely with the Philippine Society of Nephrologists, to gather information on organ trafficking in the Philippines. Asia ACTs and its network in the Philippines, Philippines Against Child Trafficking, was able to locate some of the victims and assisted the Philippine government in developing the Implementing Rules and Regulations Against Organ Trafficking in order to ensure better implementation of the Anti-Trafficking in Persons Act.

DEBRA BUDIANI

Dr. Budiani-Saberi, Founder and Director of the Coalition for Organ-Failure Solutions (COFS), is a Medical Anthropologist and has conducted extensive research related to organ transplants and the trafficking of human organs beginning in 1999 as a part of her study on refugee health. Her work has included an analysis of key stakeholders and actors involved in commercial transplants including donors, recipients, medical professionals, religious clerics, laboratories, and the state. She has conducted extensive follow-up studies and outreach on commercial living organ donors assessing health, economic, social and psychological consequences. She has also worked more broadly on health, commodification of the body, and bodily integrity in various parts of the Middle East and Northeast Africa (Egypt, Eritrea, Morocco, Qatar, Somalia, United Arab Emirates) as well as in India.

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University of California, Berkeley | May 5-7, 2010

RICHARD M. BUXBAUM

Richard Buxbaum '53 practiced law in Rochester, New York, and with the U.S. Army before joining the Boalt faculty in 1961. He publishes in the fields of corporation law and comparative and international economic law, and since 1987 has been editor in chief of the American Journal of Comparative Law. Buxbaum founded and was the first chair of UC Berkeley's Center for German and European Studies and Center for Western European Studies. From 1993 to 1999, he was dean of international and area studies at UC Berkeley.

Buxbaum was one of the five defense counsel in the criminal proceedings against the 773 members of the Free Speech Movement from 1964 to 1967; represented various campus organizations and individuals in cases arising out of Vietnam War protests; and was defense counsel in a large number of criminal proceedings that accompanied the Third World Strike of 1969-70, which was a factor in the development of affirmative action programs for student admissions on the campus. He was the first director of the Earl Warren Legal Institute at Berkeley, serving from 1969 to 1974. His involvement with the National Housing Law Project goes back to its formation as a Backup Center for the Legal Services Corporation in 1969.

Buxbaum has served on various state and national committees engaged in the drafting and review of corporate and securities legislation. He is contributing editor to a variety of U.S. and foreign professional journals and has been a visiting professor at the Universities of Michigan, Cologne, Frankfurt, Munster and Sydney. He holds honorary degrees from the Universities of Cologne, Osnabruck and Eotvos Lorand Budapest, and received the 1992-93 Alexander von Humboldt Foundation Award for Humanities and Arts. Buxbaum is a member of the American Law Institute and was elected to the American Academy of Arts and Sciences in 2001.

GABRIEL DANOVITCH, MD

Dr. Gabriel Danovitch received his medical education in Great Britain. He did his renal fellowship at Albert Einstein College of Medicine in New York, and then headed the Nephrology Program at Soroka University in Beersheba, Israel. During the early years of his career, he led several important studies on the pathophysiology of chronic renal failure. In 1979, he joined UCLA Division of Nephrology and in 1983, he became the Director of UCLA's Kidney Transplant Program. He is a Medical Director of the organ procurement organization, "OneLegacy" and is active in major national and international transplant-related professional organizations.

Dr. Danovitch has played a pivotal role in the development of the renal transplant program at UCLA, which has been consistently ranked among the top five in the nation. The UCLA kidney transplant program is regarded as the premier program in Southern California and is a referral base for much of the Western U.S. Between 250 to 300 kidney

transplants are performed annually and close to 3000 patients are awaiting deceased donor kidney transplantation at the UCLA program. The UCLA kidney transplant program is proud to have helped train many nephrologists and transplant physicians.

Dr. Danovitch's transplant-related research has focused on various aspects of clinical transplantation and particularly the development of new immunosuppressive drugs and innovative immunosuppressive protocols. He has been very active on the national and international level in the development of management guidelines for various aspects of clinical transplant care as well as the complex issues associated with organ allocation at a time of national shortage. He has been an untiring promoter of the safe and ethical practice of living donor transplantation including the development of living donor kidney exchange programs.

Dr. Danovitch has published major textbooks in the field of kidney transplantation and through his publications and lectures is highly respected nationally and internationally as a transplant clinician and educator. He serves on the executive of the Declaration of Istanbul Custodian Group and co-chairs its Patient Affairs task force.

THOMAS DIFLO, MD, FACS

Dr. Thomas Diflo is a cum laude graduate of Harvard College and Boston University School of Medicine. He did his general surgery training at Boston University and both his laboratory and clinical Transplant Fellowships at Harvard Medical School, at the New England Deaconess Hospital. He is board certified in both General Surgery and Surgical Critical Care.

Dr. Diflo came to NYU in 1992 at the completion of his training and is currently an Associate Professor of Surgery in the Organ Transplant division. He has performed nearly 1000 kidney and liver transplants, and his scientific interests include the mechanisms of chronic rejection, and the pharmacokinetics and mechanisms of action of various immunosuppressant medications.

Since 2001 he has become a widely recognized expert on the international trade in transplanted organs, with a particular interest in the transplantation of the organs of executed prisoners in China. He has given numerous lectures and served on several panels regarding this topic, including testimony before the United States House of Representatives. He has also been a guest on several media programs, including The People's Pharmacy on National Public Radio, and Anderson Cooper 360 on CNN.

CAPTAIN LOUIS HELBERG

is Head of the Commercial Crimes Unit in Durban, where he has been fighting corruption in various sectors of South African Society, from banks to credit card fraud. In 2003, working closely with the Durban Ministry of Health, Captain Helberg staged a complicated police sting resulting in multiple arrests of South African surgeons, NETCARE (health insurance) employees, NETCARE transplant coordinators,

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University of California, Berkeley | May 5-7, 2010

organs brokers, Israeli transplant patients, and Brazilian and Eastern European kidney sellers linked to an international network of organs trafficking. To gather evidence for the prosecution, Captain Helberg has traveled 'to the field' to trace the networks connecting Brazilian kidney sellers to Israeli brokers and transplant tourists. Captain Helberg has solicited the assistance of Organs Watch in putting together the international criminal networks involved in the corruption of South African transplant units. In his spare time Captain Helberg paints 'arresting' watercolors.

CHEN KUGEL, MD

Dr Kugel is currently Head of the Forensic Medicine Dept. MADAN- Casualties Notification Center and Head of forensic medicine examination board of the Scientific Council Israel Medical Association. He is also a senior pathologist and Lieutenant Colonel (reserve) Israel Defense Forces. Between 2005-2010 Dr. Kugel served as Senior Forensic Pathologist and Liaison Officer at the National Center of Forensic Medicine, Sackler Faculty of Medicine Tel Aviv University. Dr. Kugel was born in Israel and graduated (cum laude) from the School of Medicine at Ben Gurion University of Beer Sheva. He also studied emergency medicine and psychiatry at Albert Einstein College of Medicine (New York City). His postgraduate training included residencies in forensic medicine at the Sackler Faculty of Medicine, Tel Aviv University and at the Department of Forensic Medicine at the University of Cape Town, South Africa, the Victorian Institute of Forensic Medicine at Monash University, Melbourne Australia, and at the Office of the Medical Examiner Armed Forces Institute of Pathology, Washington DC, U.S.A. He lectures frequently on forensic medicine in Israel, Brazil, Thailand, China. And the USA. Dr. Kugel has received many honors including named awards from the British Council, The Australian Jewish Medical Association, and was awarded the 2007 Knight of Quality Government, Israel, for his dogged work against corruption. Dr. Kugel is also a talented jazz musician.

MONIR MONIRUZZAMAN

Monir Moniruzzaman is an Assistant Professor jointly in Anthropology and Center for Ethics and Humanities in Life Sciences at Michigan State University. His research examines the illegal organ bazaar, particularly the experiences of kidney sellers in Bangladesh. Narrating the victims' accounts, his deeply moving ethnography reveals how organ buyers (both recipients and brokers) tricked and pressured Bangladeshi poor into selling their kidneys. And, in the end, these sellers were brutally deprived and deceived. Monir's research therefore concludes that organ commodification is serious violence against the poor, at the terrible cost of harm and suffering to them. Part of his research has been transformed into a successful art installation piece, which was exhibited in a Toronto art gallery.

NICOLE MARIC

Ms. Maric is a Crime Prevention Expert at the United Nations Office on Drugs and Crime (UNODC) in Vienna, which

is tasked with promoting justice globally. She is involved in providing technical assistance and training to Member States, in particular for law enforcement and prosecution, to support them in their fight against transnational organized crime and in the practical implementation of the UN Convention against Transnational Organized Crime and its three supplementing Protocols. Her main areas of work focus on container security, trafficking in firearms, counterfeit medicines, drugs and human organs. She was involved in various organized crime threat assessments in Africa and South Eastern Europe. At UNODC she is also the focal point for issues regarding trafficking in human organs. Prior to joining the UNODC, Ms. Maric worked for the Organization for Economic Cooperation and Development (OECD) in Paris. She was involved in the monitoring process of the implementation of the OECD convention on corruption and worked on anti-corruption and ethics related projects in Russia and the Baltic States. Nicole Maric holds a Master degree in Political Science and Criminology.

MICHAEL MIGNANO

Michael Mignano is a research associate for the Laogai Research Foundation (LRF). His work focuses on forced labor prison product exports, organ harvesting, and updating LRF's Laogai Handbook, an extensive listing of over 1000 Chinese forced labor prison camps. He also creates LRF's original online content, producing short movies and editing the LRF blog. Michael's previous research concentrated on Walmart's international operations in East Asia, with emphasis on creating activist models for resistance to Walmart's expansion. Michael is proficient in Mandarin Chinese and has resided and worked in Zhejiang Province, China.

NICK ROSEN

Born in 1969 in NYC, raised in Israel. One of the first IDF army objectors in Israel. Political activist. Vegetarian cook. Translator and English teacher. Video director and Producer-music videos, TV programs, documentaries, feature films. Currently residing in Costa Rica. In 2004, in Tel-Aviv, I translated a Cabaret dialysis play called "Die Alices" for an artist friend and famous dialysis patient Paz Moscowitz. I offered to donate her my kidney, but she refused because her body had already rejected 3 transplant attempts due to some rare blood gel problem. On my 35th birthday I saw a "kidney donor wanted" ad in an Israeli newspaper and responded. The operation took place in NYC 7 months later, on July 2005 and was successful. I have documented my journey. This is my film "Kidney Beans". The recipient is a father of 3 and is now, 5 years later, happy and healthy. My goal is to promote the legalization and the understanding of the importance of organ donation. 6000 people die every year in the US alone, due to organ failure while on the waitlist. Iran has institutionalized an organ donation program that has the donor compensated by the health system and has eliminated the waitlist. Why not donate an organ to a fellow American and get compensated for it, instead of, for instance, going to fight a futile war in Iraq or Afghanistan?

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DR. RIKI SHAY

Victim of transplant brokering, Israel

NANCY SCHEPER-HUGHES

Nancy Scheper-Hughes is Chancellor's Professor of Anthropology at the University of California, Berkeley, where she is chair of the doctoral program in medical anthropology. She is the founding Director of Organs Watch, a documentation and medical human rights project. Scheper-Hughes and her associates have traveled to transplant and organ trafficking sites in a dozen countries – from North America to Latin America to Europe, the Middle East, Africa and Asia.

Scheper-Hughes' writings and publications focus on violence, poverty, hunger, and social suffering; the globalization of medicine and biomedical technologies; and the commodification of life. She has written several award winning books on health and human rights issues including *Saints, Scholars and Schizophrenics: Mental Illness in Rural Ireland*, and *Death without Weeping: the Violence of Everyday Life in Brazil*. Among her edited volume are the books, *Child Survival, Commodifying Bodies* (with Loic Wacquant), *Psychiatry Inside Out* (with Anne M. Lovell), and *Violence in War and Peace* (with Philippe Bourgois). Her next book, *A World Cut in Two: Global Justice and the Traffic in Human Organs* will be published by University of California Press.

Scheper-Hughes is a consultant to the World Health Organization and to the UN Global Initiative to Fight Human Trafficking. Her awards and book prizes include: the William Sloan Coffin Award for moral leadership; the Margaret Mead Award by the American Anthropological Association, The Welcome Prize (with the Royal Anthropological Institute for contributions to medicine), the Staley Prize, and the *Premio Internazionale di Studi Etnoantropologici*. She is also Guggenheim Fellow.

Scheper-Hughes is a frequent commentator on public radio and TV and key note speaker at transplant, anthropological, and bioethics conventions. She has participated in several documentaries on aspects of organs trafficking, most recently traveling with Dan Rather for an hour long documentary, "Kidney Pirates", filmed on location in Moldova, Turkey and Israel. She has been a consultant to the WHO (Europe) and UN Anti-Trafficking on transplant tourism and a member of the Asian Task Force to Combat Human Trafficking for Organs.

MEIRA WEISS

Dr. Weiss is professor emerita of Department of Sociology and Anthropology at Hebrew University in Jerusalem, where she chaired the Louis and Pearl Rose Foundation for Medical Sociology and held many elected positions in the Academic Senate and in the Faculty of the Social Sciences there. Weiss also served as Chair of the Lafer Center for Gender Studies also at Hebrew University and as Chair of

the Israeli Anthropological Association. She also played a key role organizing lectures and forums for the Van Leer Institute in Jerusalem. In her life as a public intellectual in Israel, Meira served as a member of the Government Committee for Patients' Rights and as member of the Higher Governmental Helsinki Committee. Weiss is known as a key defender of human and civil rights related especially to the sick, the disabled, children, refugees, women and other vulnerable populations. She served on the national committee that established the criteria for the protection of human subjects with respect to experimental, medical and documentary research.

Prof. Weiss was born and educated in Israel where she received her PhD cum laude at Tel-Aviv University in 1986. Her first book, *Conditional Love: Parents Attitudes Toward Handicapped Children* (1994) described and analyzed parental rejection of appearance-impaired children in Israel, combining her skills as qualitative anthropologist-ethnographer (of symbolic, semiotic, hermeneutic traditions) with her formal training in Gestalt Therapy. Her numerous publications have appeared in *Semiotica*, *Marriage and Family Review*, *Medical Anthropology*, *Social Science Journal*, among others. Her second book – *The Chosen Body: The Politics of the Body in Israeli Society* was published by Stanford University Press in 2002 in a special book series, "Jews and Other Differences", edited by Prof. Daniel Boyarin, Taubman Professor of Talmudic Culture, at UC Berkeley. The book received wide critical acclaim, with trenchant reviews by her colleagues in Israel and by international scholars, including Arthur Frank (author of *At the Will of the Body*) and has been nominated for major book and writing prizes. Currently Professor Weiss is conducting research on the 1950s polio epidemic in Israel.

HARRY WU

Harry Wu founded the Laogai Research Foundation (LRF) in 1992 to gather information on and raise public awareness of the Chinese Laogai—China's extensive system of forced-labor prison camps. LRF also works to document and publicize other systemic human rights violations in China, including executions and the harvesting of organs from executed prisoners, the coercive enforcement of China's "one-child" population control policy, and Internet censorship and surveillance. Wu knows first-hand the atrocious conditions of the Laogai. In 1960, Wu was imprisoned at the age of 23 for criticizing the Communist Party, and subsequently spent 19 years toiling in the factories, mines, and fields of the Laogai. He was released in 1979, and came to the US in 1985 with just \$40 in his pocket. Since that time, he has traveled back to China multiple times to further investigate Laogai camps and continue his call for human rights in China.